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(571) 273-8300**

January 23, 2006

Re: Applicant(s): Bender, Theodore M.; et. al.  
Assignee: Cardica, Inc.  
Title: Tool for Creating an Opening in Tissue  
Serial No.: 10/659,057  
Examiner: Not yet assigned                          Filed: September 9, 2003  
Docket No.: 143                                  Group Art Unit: 3731

Dear Sir:

Transmitted herewith are the following documents in the above-identified application:

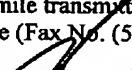
- (1) This Transmittal Letter;
- (2) Form PTO-1449; and
- (3) Information Disclosure Statement.

No additional fee is required.

Please charge any underpayment and credit any overpayment to Deposit Account 502108.  
Thank you.

**Certificate of Transmission**

I hereby certify that this correspondence is being facsimile transmitted to the U.S Patent and Trademark Office (Fax No. (571) 273-8300) on January 23, 2006.

  
\_\_\_\_\_  
Brian Schar

~~Respectfully submitted,~~

**Brian A. Schar  
Attorney for Cardica, Inc.  
(650) 331-7162  
Reg. No. 45,076**

JAN 23 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bender, Theodore M.; et. al.  
Assignee: Cardica, Inc.  
Title: Tool for Creating an Opening in Tissue  
Serial No.: 10/659,057 Filing Date: September 9, 2003  
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Docket No.: 143

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97(b)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In compliance with the Applicant's duty under 37 CFR § 1.56, the information listed on the accompanying form PTO-1449 is brought to the attention of the Examiner.

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), and thus no petition or fee is required.

Respectfully submitted,



Brian A. Schar  
Reg. No. 45,076  
Attorney for Cardica, Inc.  
900 Saginaw Drive  
Redwood City, CA 94063

<p>Substitute for form 1449A/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p>(Use as many sheets as necessary)</p>				<p style="text-align: right;">PTO/3B103R07-05 Approved for use through 7/31/2006, OMB 0551-0031 US Patent &amp; Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.</p>										
				<i>Complete If Known</i>										
<table border="1" style="width: 100%;"> <tr> <td><b>Application Number</b></td> <td>10/659,057</td> </tr> <tr> <td><b>Filing Date</b></td> <td>September 9, 2003</td> </tr> <tr> <td><b>First Named Inventor</b></td> <td>Bender, Theodore</td> </tr> <tr> <td><b>Art Unit</b></td> <td>3731</td> </tr> <tr> <td><b>Examiner Name</b></td> <td>Unknown</td> </tr> </table>				<b>Application Number</b>	10/659,057	<b>Filing Date</b>	September 9, 2003	<b>First Named Inventor</b>	Bender, Theodore	<b>Art Unit</b>	3731	<b>Examiner Name</b>	Unknown	
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<b>Art Unit</b>	3731													
<b>Examiner Name</b>	Unknown													
Sheet	1	of	1	Attorney Docket No: 143										

<b>US PATENT DOCUMENTS</b>					
Examiner Initial *	Cite No	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Filing Date if Appropriate
		US-3825362	07/23/1974	Hougen, Everett D.	
		US-6375396	04/23/2002	Fangmann, Michael D., et al.	

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**EXAMINER**

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**DATE CONSIDERED**

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached